

**MINUTES OF THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**September 9, 1999**

DIVISION TWO

B124035 Tracey et al.  
v.  
Bicycle Club Casino

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

## DIVISION FIVE

B118072 Harold B. Spinner et al. (Not for Publication)  
v.  
Barry Cooper

The judgment is affirmed as to Petrovsky and Diversified Engineering but reversed as to Cooper and Rohlin. The clerk of the Superior Court is directed to enter a new and different judgment awarding judgment for Cooper and Rohlin as defendants in Spinner's complaint. Appellants Cooper and Rohlin to recover their costs on appeal.

Godoy Perez, J.

We concur:   Turner, P.J.  
                      Armstrong, J.

## DIVISION SIX

Court convened at 9:00 A.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., Matz, J. (Assigned), and G. Bents, Deputy Clerk.

DIVISION SIX (Continued)

Each of the following:

B125216 Rojas v. Target Stores

B129098 Dept. of Social Services v. Annette B. and Robert B.

B129286 Baby Roe v. Figueroa

Argument waived, cause submitted.

B130236      Webber  
                 v.  
                 Civil Service Commission

Appearances:

No appearance by appellant. Jay A. Hieatt appeared for respondents and waived argument, cause submitted.

Matz, J. (Assigned) left the bench.

B131395      Baltadano  
                 v.  
                 Ha

Merits:

Argued by Paul V. Wayne for appellants and by Russell Ghitterman for respondents. Cause submitted.

B129015      Child Protective Services  
                 v.  
                 Maria B.

Merits:

Argued by Carole S. Greeley for appellant and by Gustavo Lavayen, deputy county counsel, for respondent. Cause submitted.

DIVISION SIX (Continued)

B128931     Hewes  
              v.  
              Spolar

Merits:  
Argued by George Rodda, Jr. for appellant and by James N. Procter for respondents. Cause submitted.

B125599     Letters  
              v.  
              Berube

Merits:  
Argued by Walter H. Walker for appellant, by Jon M. Kasimov for respondent Berube and by Margaret Levy for respondent Farmers New World Life Insurance Company. Cause submitted.

Court recessed at 10:50 A.M.

Court reconvened at 11:00 A.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., and G. Bents, Deputy Clerk.

B110775     People  
              v.  
              Tuffree

Merits:  
Argued by Raymond L. Girard for appellant and by Audree S. Wong, deputy attorney general, for respondent. Cause submitted.

Court recessed at 11:20 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, Acting P.J., Yegan, J., Coffee, J., Matz, J. (Assigned), and G. Bents, Deputy Clerk.

DIVISION SIX (Continued)

Each of the following:

B104048 People v. Duarte  
B124929 People v. Williams & Cooper  
B125147 People v. Fuegos  
B126632 People v. Phillips  
B127033 People v. Rubbock  
B127055 People v. Aragon  
B127462 In re Anderson on Habeas Corpus  
B128019 People v. Faris  
B128442 People v. Aaron  
B128483 People v. Guizar  
B129026 People v. Heredia  
B131289 People v. Ringle

Argument waived, cause submitted.

B127467     People  
              v.  
              McLaughlin

Merits:

Argued by Laini M. Melnick for appellant and by Ellen Birnbaum Kehr, deputy attorney general, for respondent via video conference. Cause submitted.

B127114     People  
              v.  
              Muniz

Merits:

Argued by Curtis L. Clark for appellant and by Jennevee H. De Guzman, deputy attorney general, for respondent via video conference. Cause submitted.

DIVISION SIX (Continued)

B127489     People  
              v.  
              Fabricant

Merits:

Argued by John F. Guenther for appellant and by Thomas C. Hsieh, deputy attorney general, for respondent both via video conference. Cause submitted.

B127622     People  
              v.  
              Montenegro-Garcia

Merits:

Argued by Matthew P. Guasco for appellant and by Jennevee H. De Guzman, deputy attorney general, for respondent via video conference. Cause submitted.

B127393     People  
              v.  
              Juarez

Merits:

Argued by Douglas G. Benedon for appellant and by Susan S. Kim, deputy attorney general, for respondent via video conference. Cause submitted.

B128386     People  
              v.  
              Tubb

Merits:

Argued by Richard Lennon for appellant and by Mitchell Keiter, deputy attorney general, for respondent via video conference. Cause submitted.

DIVISION SIX (Continued)

B126969     People  
              v.  
              Williams

Merits:

Argued by Suzan Hier for appellant and by Jennevee H. De Guzman, deputy attorney general, for respondent via video conference. Cause submitted.

B129895     People  
              v.  
              Edgar M.

Merits:

Argued by Leonard J. Klaif for appellant and by Kyle S. Brodie, deputy attorney general, for respondent via video conference. Cause submitted.

B125815     People  
              v.  
              Mellili

Merits:

Argued by Leonard J. Klaif for appellant and by Jim Hart, deputy attorney general, for respondent via video conference. Counsel shall serve and filed additional briefs within 15 days. The cause shall stand submitted 15 days from this date.

B127057     People  
              v.  
              Ormsby

Merits:

Argued by Richard C. Gilman for appellant and by Roy Preminger, deputy attorney general, for respondent via video conference. Cause submitted.

DIVISION SIX (Continued)

B128389     People  
              v.  
              Ornelas

Merits:

Argued by Rudy G. Kraft for appellant and by Thien Huong Tran, deputy attorney general, for respondent via video conference. Cause submitted.

B128684     People  
              v.  
              Talley

Merits:

Argued by Nancy J. King for appellant and by Thomas C. Hsieh, deputy attorney general, for respondent via video conference. Cause submitted.

B111504     People  
              v.  
              Cunningham

Merits:

Argued by Glenn Durfee for appellant and by Russell A. Lehman, deputy attorney general, for respondent via video conference. Appellant shall serve and file a supplemental brief within 5 days. Respondent shall have 5 days thereafter to serve and file any response. The cause shall stand submitted 10 days from this date.

B116682     People  
              v.  
              Forhan

Merits:

Argued by David B. Shea for appellant and by Stephanie A. Miyoshi, deputy attorney general, for respondent via video conference. Cause submitted.

DIVISION SIX (Continued)

B122454     People  
              v.  
              Dacayana

Merits:

Argued by Jean E. Matulis for appellant and by Corey Robins, deputy attorney general, for respondent via video conference. Cause submitted.

Matz, J. (Assigned) left the bench.

B124895     People  
              v.  
              Watts

Merits:

Argued by Robert L. Weiss for appellant and by Andrew D. Amerson, deputy attorney general, for respondent via video conference. Cause submitted.

Court adjourned at 4:40 P.M.

DIVISION SEVEN

Court convened at 9:00 A.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Neal, J., Chavez, J. (Assigned), and Emma Jean Amos, Deputy Clerk.

Each of the following:

B114255 People v. Ha, Phan, Chau & Bang  
B121181 People v. Moreno  
B123546 People v. Pires  
B123886 People v. Villanueva  
B124800 People v. Duboise  
B125829 People v. Recendez  
B125857 People v. Rodriguez  
B126822 People v. Alexander  
B126878 People v. Scott



DIVISION SEVEN (Continued)

Each of the following (cont.):

B126961 People v. Maisonet  
B127197 People v. Moore  
B127277 People v. Keelan  
B127491 People v. Acaba  
B128639 People v. Hodge  
B128808 People v. Johnson  
B129366 People v. Michael C.  
B127419 D.C.F.S. v. Tasha T.  
B128864 D.C.F.S. v. Paula G.  
B131327 Sateva S. v. S.C.L.A.  
B127561 Mobasser v. Boteach

Argument waived, cause submitted.

B122322 People  
v.  
French

Merits:

Argued by Fay Arfa for appellant and by Deborah J. Chuang, deputy attorney general, for respondent. Cause submitted.

B121957 People  
v.  
Marshall

Merits:

Argued by Corey J. Robins, deputy attorney general, for respondent and no appearance by counsel for appellant. Cause submitted.

B124657 People  
v.  
Patterson

Merits:

Argued by Dale Michael Rubin for appellant and by John Yang, deputy attorney general, for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B125152     People  
              v.  
              Greene

Merits:

Argued by Sharon L. Rhodes for appellant and by Rama R. Maline, deputy attorney general, for respondent. Cause submitted.

B123018     People  
              v.  
              Makimoto

Oral argument continued to October 7, 1999, at 9:00 a.m.

B123676     Sigelman  
              v.  
              Penuela

Merits:

Argued by Roy Penuela for appellant and no appearance by counsel for respondent. Cause submitted.

B122625     Hill  
              v.  
              County of Los Angeles

Merits:

Argued by Nikki Fong for appellant and by Deborah H. Petito for respondent. Cause submitted.

B127558     Alicea  
              v.  
              W.C.A.B.  
              Federal Reserve Bank

Merits:

Argued by Lawrence Silver for petitioner and by Slade Neighbors for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B129578     Ware  
              v.  
              W.C.A.B.  
              Bel-Air Country Club

Merits:

Argued by Arden Edwards for petitioner and by Robert Movius for respondent. Cause submitted.

B125875     Dept. of Children & Family Services  
              v.  
              Daniel R.  
              In re Andrea R.

Oral argument waived, cause submitted.

B126612     Dept. of Children & Family Services  
              v.  
              Bonita H.  
              In re Diego M., et al.

Oral argument waived, cause submitted.

B131501     Valediez  
              v.  
              S.C.L.A.  
              The People, r.p.i.

Merits:

Argued by Lawrence A. Forbes for petitioner and by Moira J. Curry, deputy district attorney, for real party in interest. Cause submitted.

Court recessed at 11:23 a.m.

DIVISION SEVEN (Continued)

Court reconvened at 2:00 P.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Neal, J., Chavez, J. (Assigned), and Emma Jean Amos, Deputy Clerk.

B127129      Presidio Capital Corporation  
                 v.  
                 Price

Merits:

Argued by David J. Cowan for appellant and by Daniel J. Spielfogel for respondent. Cause submitted.

B116473      El Senoussi  
                 v.  
                 Fireman's Fund Ins. Company

Merits:

Argued by Robert F. Peterson for appellant and by Marlena J. Mouser for respondent. Cause submitted.

B123263      Esquerra  
                 v.  
                 Pacific Ford, Inc., et al.

Merits:

Argued by Sherri L. Honer for appellants and by Cheryl Denise Keily for respondent. Cause submitted.

B124272      Utley  
                 v.  
                 Cassiar Mining Corporation

Oral argument waived, cause submitted.

September 9, 1999-Continued

DIVISION SEVEN (Continued)

B126937     Duenas  
              v.  
              Guagenti

Merits:

Argued by Laura N. Diamond for appellant and by Roxanna Huddleston for respondent. Cause submitted.

Court adjourned at 3:25 p.m.